

**To:** Tom Hagler/R9/USEPA/US@EPA;"Belin, Letty" [Letty\_Belin@ios.doi.gov]; Belin, Letty" [Letty\_Belin@ios.doi.gov]  
**From:** "Nawi, David"  
**Sent:** Thur 2/11/2010 3:37:24 AM  
**Subject:** RE: Busy day on BDCP etc.

Re no 3 - since the smelt restrictions are now in place and the state (joint fed/state operations) will presumably comply with them, at least for now it seems like a CESA exemption is not needed.

From: Hagler.Tom@epamail.epa.gov [Hagler.Tom@epamail.epa.gov]  
Sent: Wednesday, February 10, 2010 6:18 PM  
To: Belin, Letty; Nawi, David  
Subject: Busy day on BDCP etc.

Just in case you missed any of these developments/rumors:

- (1) Wanger will not issue TRO on implementing smelt opinion.
- (2) Enviros sent letter to State on BDCP/litigation connections (attached)
- (3) Well placed rumor is that gov's office will not grant a CESA exemption
- (4) Well placed rumor is that Sen. F. is drafting bill to exempt Old and Middle River Flows from ESA regulation. Weird if true.

Enjoy the snow, Letty!

-----Forwarded by Tom Hagler/R9/USEPA/US on 02/10/2010 06:14PM -----

To: Tom Hagler/R9/USEPA/US@EPA  
From: "Ann Hayden" <ahayden@edf.org>  
Date: 02/10/2010 05:08PM  
Subject: FW: NGO letter re TRO and BDCP

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From: Ann Hayden  
Sent: Wednesday, February 10, 2010 5:08 PM  
To: 'lester.snow@resources.ca.gov'; 'Karen Scarborough'  
Cc: bobker@bay.org; bobker@sbcglobal.net; kdelfino@defenders.org  
Subject: NGO letter re TRO and BDCP

Dear Lester and Karen,

Please find the attached letter sent on behalf of EDF, TBI and Defenders of Wildlife. We are very interested in setting up a meeting with both of you in the very near future to discuss these issues in

greater detail.

See you at the Steering Committee meeting tomorrow, Karen.

Thanks,  
Ann

Ann Hayden  
Senior Water Resource Analyst  
Environmental Defense Fund  
123 Mission St., 28th Floor  
San Francisco, CA 94103  
(415) 293-6050

<<NGO letter re TRO and BDCP.pdf>>

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